

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



March 14, 1991

ALL COUNTY INFORMATION NOTICE NO. I-21-91

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: ELIGIBILITY FOR AFDC AND/OR FOOD STAMPS OF REPATRIATES
AND ALIENS ENTERING THE UNITED STATES FROM THE PERSIAN
GULF REGION AND TREATMENT OF REPATRIATION LOANS

REFERENCE: MPP 42-431 -- ELIGIBILITY REQUIREMENTS
MPP 42-433 -- PROOF OF CITIZENSHIP OR ELIGIBLE ALIEN
STATUS
MPP 44-111 -- PAYMENTS EXCLUDED OR EXEMPT FROM
CONSIDERATION AS INCOME
MS 63-300.512 -- ALIEN STATUS
MS 63-403.1 -- CITIZENS AND ELIGIBLE ALIENS
MS 63-502.2 -- INCOME EXCLUSIONS

The recent influx of repatriate American citizens and alien members of their families entering California from the Persian Gulf Region has raised questions on the treatment of these persons under the AFDC and Food Stamp programs. Concern has been expressed as to the eligibility and identification of aliens who accompany the repatriated American citizens.

ELIGIBILITY

With regard to any of these persons, there are no new laws or rules specific to their eligibility for AFDC or Food Stamps. Therefore, they must qualify under existing rules.

Persons who enter the country as repatriates are U.S. citizens and may participate in the AFDC and/or Food Stamp programs if otherwise eligible. Persons entering as aliens must be in an eligible alien category to participate.

At the present time, most of these alien family members meet eligibility requirements as persons paroled into the U.S. under Section 212(d)(5) of the Immigration and Naturalization Act (INA), but it is possible that some of these aliens will qualify for assistance under other eligible alien categories. Most of the aliens entering under Section 212(d)(5) of the INA will be paroled into the U.S. by the Attorney General for "emergent reasons" or "reasons deemed strictly in the public interest". For AFDC, see Manual of Policies and Procedures (MPP) Section 42-431.221c. For Food Stamps, see Manual Section (MS) 63-403.1(f).

At the outset of the Persian Gulf crisis, some of these aliens came to this country with tourist visas and were admitted as tourists. As tourists, they are not eligible for AFDC or Food Stamps. They are permitted, however, to go to INS and request that their status be changed to that of parolee, which would place them in an alien category eligible for AFDC and Food Stamp benefits.

DOCUMENTATION OF PAROLEES

Typical documentation for a parolee consists of INS (U.S. Immigration and Naturalization Service) Form I-94 (Arrival-Departure Record) -- Parole Edition endorsed to show that the bearer has been paroled in the U.S. pursuant to Section 212(d)(5) of the Immigration and Nationality Act.

Sometimes the INS does not use the parole edition of the I-94 when identifying a parolee. When the parole edition is not used, the I-94 must in some other way make clear that the person is a parolee. This is accomplished if notation of the alien's status on the I-94 is any of the following, alone or in combination: parole, paroled, parolee, 212(d)(5), Persian Gulf Evacuee.

If the I-94 does not bear any of the above notations, and the alien has no other verification of eligible alien status, the County Welfare Department must advise the alien in accordance with the following regulations: For AFDC, MPP 42-433.4, and for Food Stamps, MS 63-300.512(b)(1), (2), (3), or (4), and MS 63-300.512(e).

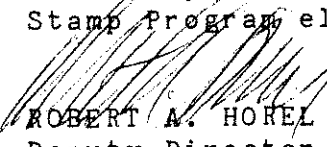
REPATRIATION LOANS

The Family Support Administration's Office of Family Assistance is making Repatriation Loans available to qualified individuals. The loans are available for up to 90 days from the date of entry into the United States. Individuals receiving these loans are required to sign a repayment agreement.

AFDC. For the AFDC program, the loans are treated as income (MPP 44-111.436 and 44-111.5). They are treated as income because the money is available to meet current needs.

Food Stamps. For the Food Stamp program, the loans are not considered income (MS 63-502.2(f)).

If you have questions relating to AFDC alien eligibility, please call John Honeycutt of my staff at (916) 445-1131. For questions relating to repatriation loans to AFDC applicants, call Sandra Poole-Taylor at (916) 324-2661. For questions relating to Food Stamp Program eligibility, call Carole Robinson at (916) 324-2015.


ROBERT A. HOREL
Deputy Director

cc: CWDA